

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 14-10024-GAO

NAEEM AHMED,  
Plaintiff,

v.

DISH NETWORK and JOHN DOE,  
Defendants.

ORDER  
November 7, 2014

O'TOOLE, D.J.

The plaintiff, Naeem Ahmed, brings this action purportedly to protect his “established and licensed trademarks” in the United States and in the United Kingdom. (Compl. ¶ 1 (dkt. no. 1).) He asserts that Dish Network infringed his trademark rights by airing a satellite TV channel named “GEO NEWS/ENTERTAINMENT,” operated by a John Doe, which makes use of those marks. (Id.) The Complaint asserts that this Court has diversity jurisdiction under 28 U.S.C. § 1332. (Id. ¶ 6).

The plaintiff is allegedly “domiciled” in Pakistan, and defendant Dish Network’s corporate headquarters are allegedly in Englewood, Colorado. The Complaint says nothing about John Doe’s citizenship. It is therefore impossible to determine whether the requirements of diversity jurisdiction are satisfied, including importantly complete diversity of citizenship between plaintiffs and defendants. White v. Does 1-21, No. 13-cv-171-JL, 2013 WL 2177906, at \*2 (D.N.H. May 17, 2013) (finding no subject matter jurisdiction in John Doe diversity suit); McMann v. Doe, 460 F. Supp. 2d 259, 263-65 (D. Mass. 2006). The plaintiff does not claim to

invoke federal question jurisdiction. It is noted that he has not alleged that he is a registrant under the Lanham Act. See 15 U.S.C. § 1114.

Even if this Court had jurisdiction, the Complaint fails to state a claim upon which relief can be granted. While the plaintiff claims to be a licensee, he has not asserted that he is an exclusive licensee authorized to enforce the marks. Further, the plaintiff fails to provide sufficient factual support for his conclusory allegations that he owns and uses the marks, and therefore he does not plausibly state a claim for trademark infringement.

Defendant Dish Network's Motion to Dismiss (dkt. no. 17) is GRANTED. The Complaint is DISMISSED.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.  
United States District Judge